

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

**TREY JONES  
TDCJ # 01758843**

**v.**

**NUECES COUNTY, and  
NICHOLAS ORTEGA**

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**2:12-CV-145**

**STATEMENT OF INTENT REGARDING MEDIATION  
BY DEFENDANT NICOLAS ORTEGA**

TO THE HONORABLE NELVA GONZALES RAMOS, UNITED STATES DISTRICT JUDGE:

COMES NOW Defendant Nicolas Ortega, and makes the following *Statement of Intent Regarding Mediation*, and respectfully shows:

1. Defendant Nicolas Ortega, is of the opinion that there is no liability for Defendant, making resolution of this lawsuit by alternative dispute resolution unlikely as to this Defendant. Further, he is of limited means and not in a position to make a settlement offer
2. Mediation also would not be productive because the Plaintiff is in prison and would be unable to attend.

Respectfully submitted,

/s/Richard W. Rogers, III  
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Attorney for Defendant  
Nicolas Ortega

**NOTICE OF ELECTRONIC FILING**

Undersigned counsel hereby certifies that he has submitted electronically for filing a true and correct copy of this document in accordance with the Electronic Case File System of the Southern District of Texas on this the 27th day of March, 2013.

/s/Richard W. Rogers, III  
RICHARD W. ROGERS, III

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of this document was served on:

Mr. William H. Berry, Jr.  
Ms. Gail D.C. Dorn  
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Alissa Anne Adkins  
Assistant Nueces County Attorney  
Attorney for Defendants  
Nueces County and Sheriff Kaelin  
Chief of Litigation  
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Corpus Christi, Texas 78401  
(electronically via CM/ECF)

on this the 27<sup>th</sup> day of March, 2013.

/s/Richard W. Rogers, III  
RICHARD W. ROGERS, III